

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MARY LOU LEYH,

Plaintiff,

v.

CIVIL ACTION NO. H-07-474

SAM'S EAST, INC. d/b/a SAM'S CLUB,
FOCUS RECEIVABLES MANAGEMENT,
LLC, LVNV FUNDING, LLC AND GE
MONEY BANK f/d/b/a MONOGRAM
CREDIT CARD BANK OF GEORGIA,

Defendants.

AGREED MOTION TO DISMISS WITH PREJUDICE

TO THE HONORABLE UNITED STATES COURT:

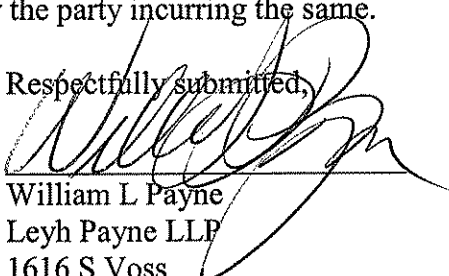
COME NOW, Plaintiff Mary Lou Leyh ("Leyh") and Defendant LVNV Funding, LLC ("LVNV"), and file their Agreed Motion to Dismiss with Prejudice, and pursuant to the same would respectfully show the Court the following:

1. All of Leyh's claims and causes of action asserted, or that could have been asserted, against LVNV have been compromised and settled. A comprehensive settlement agreement and release in full has been executed by Leyh and LVNV, and mutual consideration for such release has been provided to and by the referenced parties, such that Leyh does not have any remaining causes of action of any kind or character against LVNV.

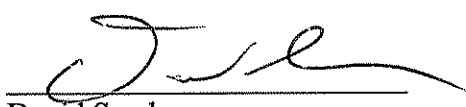
2. Accordingly, Leyh and LVNV respectfully request that the Court dismiss with prejudice all of Plaintiff's claims and causes of action asserted, or that could have been asserted, against LVNV with costs to be borne by the party incurring the same.

WHEREFORE, Leyh and LVNV respectfully pray that the Court enter an Order dismissing with prejudice Leyh's claims and causes of action asserted, or that could have been asserted, against LVNV, with costs borne by the party incurring the same.

Respectfully submitted,



William L Payne
Leyh Payne LLP
1616 S Voss
Ste 125
Houston, TX 77057
713-785-0881
713-784-0338 (fax)
Attorneys for Plaintiff



David Sander
Scanlan Buckle & Young PC
602 W. 11th St.
Austin, TX 78701-2099
512-478-4651
512-478-7750 (fax)
Attorneys for LVNV Funding, LLC